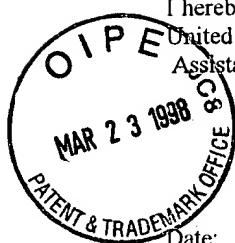


Section 4

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.



Date: March 19, 1998

W. Scott McNees
(Print Name)

W. Scott McNees
(Signature)

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Russell G. Higuchi

Serial No. 08/968,208, filed November 12, 1997

For: **HOMOGENEOUS METHODS FOR NUCLEIC ACID AMPLIFICATION AND DETECTION**

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Nutley, New Jersey 07110
March 19, 1998

Assistant Commissioner for Patents

BOX MISSING PART

03/27/1998 DTHOMAS 00000000000000000000000000000000
01 FC:105 130.00 CH

Sir:

In response to the Notice of Missing Parts of Application and Notice of Incomplete Response, applicants enclose an original Declaration executed by Russell Gene Higuchi, inventor of the captioned

DEPOSIT ACCOUNT
NO. 08-2525
OUR ORDER NO. <u>1593</u>

Serial No. 08/968,208
Filed: November 12, 1997

application. The submission of the executed Declaration completes the formal requirements for filing the captioned application. Please make the foregoing of record.

The payment of a surcharge of \$130.00 is to be charged to Deposit Account No. 08-2525. Any underpayment or overpayment should be charged or credited to Deposit Account No. 08-2525.

Respectfully submitted,

W. Scott McNees
Attorney for Applicant(s)

W. Scott McNees
(Reg. No. 33,964)
Telephone: (973) 596-4825

Enclosure
56796

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
08/968,208	11/12/97	HIGUCHI	R 9897

0212/0302

GEORGE W JOHNSTON
340 KINGSLAND STREET
NUTLEY NJ 07110

NOT ASSIGNED

1814

DATE MAILED: 03/02/98

NOTICE OF INCOMPLETE RESPONSE*Filing Date Granted*

Applicant's response of 1-30-98 has been entered into the record. However, the application still remains incomplete for the following reason(s).

- 1. The filing fee has not been received. The amount of \$ _____ is due.
- 2. The surcharge of \$130.00 has not been received.
- 3. The declaration has not been received.
- 4. The oath or declaration is not executed in compliance with 37 CFR 1.64(a) because:
 - a. The inventor's signature is missing.
 - b. The signature is missing for inventor(s) _____
- c. The application is one filed under 37 CFR 1.42, 1.43, or 1.47, and the oath or declaration is not executed by the person(s) qualified to make the oath or declaration.

To prevent ABANDONMENT of this application, a complete response is required.

The period for response remains as set forth in the Notice to File Missing Parts dated 1-8-98. However, you may obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136(a) by filing a petition accompanied by the appropriate fee (37 CFR 1.17).

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

for [unclear]
1-8-98
1-8-98

A copy of this notice MUST be returned with the response.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2-COPY TO BE RETURNED WITH RESPONSE